

**UTAH RESIDENTIAL MORTGAGE
REGULATORY COMMISSION MEETING**

Heber M. Wells Building

Room 250

9:00 a.m.

October 3, 2018

MINUTES

DIVISION MEMBERS PRESENT

Jonathan Stewart, Division Director
Kadee Wright, Chief Investigator
Justin Barney, Hearing Officer
Chad Tengler, Real Estate Analyst
Judith Jensen, Assistant Attorney General
Amber Nielsen, Board Secretary
Marvin Everett, Investigator
Tim Cuthbertson, Investigator
Lark Martinez, Division Staff
Mike Page, Division Staff
Desha Pages, Division Staff

COMMISSION MEMBERS PRESENT

George Richards, Chair
Steve Hiatt, Commissioner
Cathy J. Gardner, Commissioner
G. Scott Gibson, Commissioner*

*Appeared via Telephone

The meeting on October 3, 2018 of the Utah Residential Mortgage Regulatory Commission began at approximately 9:02 a.m. with Chair Richards conducting. Vice Chair Ashton was excused from today's meeting.

PLANNING AND ADMINISTRATIVE MATTERS

Approval of Minutes – A motion was made and seconded to approve the September 5, 2018 minutes as written. Vote: Commissioner Hiatt, yes; Commissioner Gardner, yes; Commissioner Gibson, yes. The motion is approved.

Public Comment Period

No public was present.

DIVISION REPORTS

Director's Report – Jonathan Stewart

Director Stewart reported that since he last mentioned the Division's PSA, the PSA changed to discuss the stories about wire fraud. The new script was sent to the focus group and will be sent to the Commissioners once finalized. The PSA will warn potential buyers before wiring money.

Enforcement Report –

Ms. Wright reported in September the Division received 3 complaints; opened 9 cases; closed 2 cases; leaving 98 open mortgage cases. The AG's office has 1 cases.

Ms. Wright presented the following for consideration:

Stipulations for Review

Benjamin A Hilton

Education/Licensing Report – Jonathan Stewart

Director Stewart reported on the licensing statistics in Mr. Fagergren's absence. He reported there was a loss of 12 loan originators and an increase in 4 lending managers, 3 companies, 3 branches, and 71 inactive individuals.

COMMISSION AND INDUSTRY ISSUES

Mr. Barney reported the Division is working on a rule amendment. Some rule changes for consideration are the continuing education requirement in a reinstatement period. They are also hoping to modify the cease and desist rules. The language is not yet ready but will be sent soon.

Administering of the Oath of Office

Director Stewart reporter Chair Richards was confirmed to server a second term on the Commission. Director Stewart administered the Oath of Office to Chair Richards.

Commissioner Hiatt asked for some clarification on an issue when a builder requires that an individual must be pre-approved with a specific lender in order to get specific features or amenities. Director Stewart reported the Division wrote an article about this in the newsletter. Unless there is a kickback to the builder there is no violation.

A motion was made and seconded to close the meeting for the sole purpose of discussing the character, professional competence or physical or mental health of an individual. Vote: Chair Richards, yes; Commissioner Hiatt, yes; Commissioner Gardner, yes; Commissioner Gibson, yes. The motion is approved.

CLOSED TO PUBLIC

An executive session was held from 9:20 a.m. to 9:25 a.m.

OPEN TO PUBLIC**Results of Executive Session**

Benajmin A Hilton – Approved with Concurrence of the Division Director

A brief recess was held from 9:25 a.m. to 10:00 a.m. The meeting resumed at 10:00 a.m. for the Informal Hearing in the Matter of the Application for Craig Richwine.

INFORMAL HEARING:

10:00 a.m. Craig Richwine, Applicant
Chad Tengler, Counsel for Division
Lark Martinez, Witness for Division

Mr. Richwine was not present at the beginning of his hearing. The hearing began as scheduled at 10:00 a.m. in his absence, with Mr. Tengler presenting on behalf of the Division. Mr. Richwine appeared at approximately 10:06 a.m. At that time the hearing was restarted with Mr. Richwin present. The hearing concluded at 10:39 a.m.

A motion was made and seconded to close the meeting for the sole purpose of discussing the character, professional competence or physical or mental health of an individual. Vote: Chair Richards, yes; Commissioner Hiatt, yes; Commissioner Gardner, yes; Commissioner Gibson, yes. The motion is approved.

CLOSED TO PUBLIC

An executive session was held from 10:40 a.m. to 11:16 a.m.

OPEN TO PUBLIC

Results of Executive Session

Mr. Richwine will be notified of the results on his hearing.

A motion was made to adjourn the meeting. Vote: Chair Richards, yes; Commissioner Hiatt, yes; Commissioner Gardner, yes; Commissioner Gibson, yes. The motion is approved. The meeting adjourned at 11:16 a.m.